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## FISCAL IMPACT REPORT

ORIGINAL DATE 2-13-2007

SPONSOR Miera LAST UPDATED 2/16/07 HB 846

SHORT TITLE Educational Assistant Licensing Framework SB \_\_\_\_\_

ANALYST Dearing

### APPROPRIATION (dollars in thousands)

| Appropriation |           | Recurring<br>or Non-Rec | Fund<br>Affected |
|---------------|-----------|-------------------------|------------------|
| FY07          | FY08      |                         |                  |
|               | \$4,000.0 | Recurring               | General Fund     |
|               |           |                         |                  |

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates Senate Bill 831.

Relates to an Appropriation in the General Appropriation Act.

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Education Department (PED)  
 Department of Finance and Administration (DFA)  
 State Personnel Office (SPO)

### SUMMARY

#### Synopsis of Bill

House Bill 846 appropriates \$4.0 million from the general fund to the public school fund for the purpose of implementing an educational assistant licensing framework.

House Bill 846 establishes a four-tiered licensure framework for educational assistants', sets forth the requirements for licensure and provides for minimum salary guarantees statewide for educational assistants at each licensure level. The minimum salaries are:

- Level One \$12,000
- Level Two \$13,000
- Level Three \$15,000
- Level Four \$17,000.

School districts must implement a career salary framework for educational assistants that supports the licensure system, including salary increments above the minimums based on training and experience. The PED is authorized to promulgate transition rules and rules' assuring that levels three and four meet the paraprofessional standards of the federal No Child Left Behind Act of 2001.

### **FISCAL IMPLICATIONS**

The appropriation of \$4.0 million contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2008 shall revert to the general fund.

The three-tier career ladder for teachers is in its fifth year of implementation while the principal's ladder is poised for implementation beginning in FY08. The LFC is concerned that adding additional out-year obligations before meeting existing responsibilities may cause budget issues to arise in the future.

House Bill 846 proposes that these higher salary levels implemented over the next three fiscal years (FY08-FY10): Level 2 minimum annual salaries of \$13 thousand are to be implemented in FY08; Level 3 minimum annual salaries of \$15 thousand are to be implemented in FY09; and Level 4 minimum annual salaries of \$17 thousand are to be implemented in FY10.

The Office of Educational Accountability estimates that the costs to enact all provisions of House Bill 846 would be \$5.1 million, *if all elements were implemented in FY08*. However, the total costs will be less as intermediary compensation raises will decrease the difference necessary to bring educational assistants to the levels proposed in the bill, as the minimums are to be implemented over the next three years.

### **SIGNIFICANT ISSUES**

PED notes the level one license is a two-year license for beginning educational assistants who do not meet the requirements for higher levels of licensure. The level one EA must be a high school graduate, be at least 18 years of age and complete a local orientation session pertinent to his/her work assignment. An EA must be intensively evaluated locally for at least two years before advancing to level two.

The level two license is a nine-year license. A level two EA meets the same requirements as level one and is evaluated annually.

The level three license is a nine-year license that is issued to an EA who meets all of the requirements of a level two EA plus has completed at least 48 semester hours of postsecondary non-remedial coursework that prepares the EA to work effectively in instructional support or has demonstrated competency by passing a state-approved test or through a locally administered portfolio assessment. The level three EA is also evaluated annually.

A level four EA license is for nine years and requires the EA to meet all of the requirements of a level three license as well as earning an associate's degree or higher.

It is important to note that of the four tiers, only educational assistants in levels 3 & 4 meet the No Child Left Behind requirements of being highly qualified. Although this requirement is only needed for working in Title I schools, highly qualified personnel should be assigned to all schools.

An EA may be issued a level three or four license if he/she qualifies for either of those levels, without first holding levels one and two licensure. This is important for recruiting EAs who must meet the paraprofessional status required by NCLB

### **PERFORMANCE IMPLICATIONS**

Supporters of House Bill 846 argue that higher salaries and more rigorous qualifications for educational assistants who have instructional duties in Title 1 schools will result in better academic performance for students. Since Title 1 schools serve the children most in need of support, this effort may help New Mexico reduce the achievement gap, particularly for poor and minority students.

### **TECHNICAL ISSUES**

House Bill 846 contains a temporary provision that requires the PED to promulgate rules to transition from the current licensure system to the new system proposed in House Bill 846 by June 30, 2007 and the effective date of House Bill 846 is July 1, 2007.

### **ALTERNATIVES**

The Legislature may wish to consider leaving the base salary for educational assistants at \$12 thousand and creating only two additional tiers only for those assistants achieving No Child Left Behind certification.

PD/csd